

CHAPTER: 900
Inmate Programs and Services

DEPARTMENT ORDER:

914 – Inmate Mail

**OFFICE OF PRIMARY
RESPONSIBILITY:**

OPS
LS

**Arizona
Department
of
Corrections
Rehabilitation
and Reentry**



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Department Order Manual

ACCESS

Contains Restricted Section(s)

A handwritten signature in black ink, appearing to read "Ryan Thornell", written over a horizontal line.

Ryan Thornell, Director

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PURPOSE

This Department Order establishes regulations, processes and procedures for inmates to send and receive mail, music, and individually reviewed publications. All mail is processed consistent with postal regulations and the security requirements of correctional facilities. Each publication is individually reviewed consistent with the Department's legitimate penological interest in maintaining the safety, security and orderly operations of the institutions.

PROCEDURES

1.0 MAIL GENERAL

- 1.1 There is no limitation put on the amount of mail an inmate may send or receive, regardless of custody or detention status, provided the incoming mail meets requirements, does not violate policy, and the mail is not between an inmate and any of the following: (A.R.S. §31-231)
 - 1.1.1 Released offenders currently under Community Supervision by the Department, excluding members of their immediate family as defined in the Glossary of Terms.
 - 1.1.2 An inmate confined in any local, state or federal correctional facility including, but not limited to county jails, detention centers, halfway houses, privately operated correctional facilities, and juvenile facilities, excluding an inmate's immediate family as defined in the Glossary of Terms.
 - 1.1.2.1 Inter-relational mail shall be approved as outlined in section 5.0.
 - 1.1.3 Current or former Department/private prison employees and/or current or former Department volunteers. This will be for a period of one year from the separation of employment or volunteer commitment, except when the inmate is immediate family. Exceptions to this rule can only occur with the Warden's prior written approval.
 - 1.1.4 Minors who are not the inmate's natural or adopted child or minors who do not have parents' or guardians' prior written approval.
 - 1.1.5 Anyone who advises the Warden or Deputy Warden in writing that he/she does not wish to receive mail from a particular inmate. This request must be documented through an Arizona Correctional Information System (ACIS) entry and filed in the inmate's Master Record File, and the Mail and Property File.
 - 1.1.6 Victim(s) of a crime for which an inmate was convicted and/or their family members when the victim has requested for no communication on a Post-Conviction Notification request in accordance with Department Order #1001, Inmate Release System. Victims who have not formally made the "No Inmate Mail" request may communicate with the inmate or the inmate's family members with prior Warden or Deputy Warden written approval. This request must be documented and filed in the inmate record and through an ACIS entry. (A.R.S. §13-4411.01)
 - 1.1.6.1 Unit/Complex staff shall notify the inmate of the victim's request and that further contact with the victim or his/her family members identified by the victim will result in disciplinary action. (A.R.S. §31-235)

- 1.2 All outgoing domestic mail shall be sent by pre-stamped envelope only, unless otherwise indicated. Domestic postage stamps are not sold in inmate stores. Only Global stamps for International mail will be available through the inmate store.
 - 1.2.1 Health and Welfare Indigent inmates shall be provided with pre-printed envelopes for five one-ounce pieces of “free” first class mail per month. If additional postage is required, inmates may submit a request in accordance with Department Order #902, Inmate Legal Access to Courts.
 - 1.2.2 All postage required beyond the limits cited in this Department Order and all postage for inmate groups and organizations shall be at the expense of the inmate, group or organization.
 - 1.2.3 Postage stamps shall not be used as negotiable instruments or legal tender as payment for materials ordered from private vendors.
 - 1.2.4 Inmates are prohibited from bartering, trading, selling, or exchanging postage stamps for any goods or services.
 - 1.2.5 Inmates are subject to the limits for possession of postage stamps as outlined in Department Order #909, Inmate Property, Attachment A.
- 1.3 Mailroom staff shall fully complete:
 - 1.3.1 A Registered, Insured and Certified Mail Log, Form 914-2, detailing and itemizing all incoming and outgoing registered, insured and certified mail.
 - 1.3.2 Legal Mail Log, Form 914-1, detailing all incoming and outgoing legal mail. All incoming and outgoing legal mail shall be processed as outlined in Department Order #902, Inmate Legal Access to Courts.
 - 1.3.3 An Incoming and Outgoing Packages Tracking document. The document shall be in the Google Sheets format and in accordance with Incoming and Outgoing Packages Tracking Format, Attachment A.
 - 1.3.4 Documentation of all incoming and outgoing publications, in the tracking system established at each facility.
- 1.4 Completed forms and logs shall be subject to periodic inspections. This inspection process shall consist of reviewing, as applicable:
 - 1.4.1 The name and Arizona Department of Corrections, Rehabilitation and Reentry (ADCRR) Inmate Identification Number (ADCRR number) of each inmate sending or receiving a package.
 - 1.4.2 The name and address of each sender and addressee.
 - 1.4.3 The detailed description of the contents.
 - 1.4.4 The amount of postage for each outgoing package.
 - 1.4.5 The date of the mailing or receipt of each package, and the name of the staff who recorded the information.

- 1.5 A continuous tally of outgoing indigent envelopes to account for each qualifying indigent inmate's monthly limit of five "free" mailings.

2.0 INCOMING MAIL

- 2.1 Staff members shall provide inmates with the correct mailing address upon their arrival at a new Department/private prison facility. It shall be the responsibility of the inmate to notify correspondents of the correct mailing address.
- 2.2 Incoming mail addressed to inmates must have the inmate's complete first and last name, the inmate's name under which he/she is incarcerated (unless legally changed), the inmate's correct ADCRR number, as well as the inmate's unit name and the appropriate Post Office Box.
- 2.3 Incoming mail must have a complete return address including the sender's name and the complete street address or Post Office Box. Mail without a complete return address shall be opened and read to inspect the contents to make a reasonable attempt to ascertain the identity of the sender. If the sender can be identified and the mail does not present any security concerns, the mail may be delivered to the inmate. If the sender cannot be verified, the inmate shall receive a notice and the mail shall be held for 90 calendar days before it is destroyed.
- 2.4 It is the inmate's responsibility to notify correspondents of his/her mailing address. Where local U.S. Postmaster practice permits, a U.S. Postal Service (USPS) change of address form shall be completed by the inmate and sent to the USPS. All Department/private prison facilities shall make these forms available. Incoming mail shall be forwarded as follows:
 - 2.4.1 Mail that arrives without an inmate ADCRR number shall be forwarded to the inmate if staff can verify that the inmate to whom the mail is addressed is the only inmate in ADCRR custody with that name.
 - 2.4.2 Mail that arrives without an inmate ADCRR number and there is more than one inmate with that name in ADCRR custody shall be stamped "Return to Sender. Inmate Numbers on ADCRR website at Inmate DataSearch," and returned.
 - 2.4.3 Mail that arrives for an inmate at an institution where the inmate is no longer housed shall be forwarded to his/her current institution.
 - 2.4.4 When possible, First Class mail belonging to an inmate who is temporarily confined at a hospital or local county jail shall be forwarded.
 - 2.4.4.1 For county jails (i.e., Maricopa and Yuma) that accept only post cards, any other First Class mail will be returned to the sender. First Class mail in this situation will not be held until the inmate returns.
 - 2.4.5 Mail belonging to an inmate who is no longer in physical custody of the Department shall be forwarded up to 90 calendar days after his/her release, provided a forwarding address is on file. If there is no forwarding address available, the mail shall be stamped "inmate is no longer in custody" and returned to the sender.
 - 2.4.6 All mail received for inmates on escape status shall be forwarded to the Criminal Investigation Unit (CIU) for evaluation and processing.

- 2.5 Designated staff at each unit/complex are authorized to open, inspect and read incoming mail to prevent criminal activity and prevent inmates from receiving contraband or any other material that may be detrimental to the safe and orderly operation of the institution.
 - 2.5.1 Incoming mail shall be withheld from an inmate if it meets one or more of the following criteria:
 - 2.5.1.1 Poses a direct and immediate threat to the security, safety or order of the institution.
 - 2.5.1.2 Substantially hinders efforts to treat or rehabilitate the inmate; however, legal mail will not be withheld for this purpose.
 - 2.5.1.3 Threatens the intended recipient.
 - 2.5.1.4 Promotes, aids or abets criminal activity or violation of Department rules, including but not limited to rioting, extortion, escape, illegal drug use, conveyance of contraband, solicitation of funds, violence towards others, and promotes or encourages Security Threat Groups (STG) and/or Criminal Street Gangs.
 - 2.5.1.5 Has content written in code or that contains hidden messages.
 - 2.5.2 Mail meeting one or more of the criteria in 2.5.1 through 2.5.1.5 of this section shall be forwarded to the CIU for review. The CIU shall return the mail for delivery within 72 hours unless it is determined that an investigation is required, in which case the mail shall be held. If it is determined that the mail is not to be delivered, the inmate shall be notified unless notification would interfere with the investigation.
 - 2.5.3 When an incoming envelope is stamped "Return to Sender" staff shall open and inspect it for contraband before returning it to the inmate.
 - 2.5.4 Incoming legislative correspondence shall be opened in the presence of the inmate to whom it is addressed and may only be inspected to the extent necessary to establish the presence of contraband.
- 2.6 Inmates may only receive funds for deposit into inmates' accounts, in accordance with Department Order #905, Inmate Banking/Money System. No other monetary instrument shall be deposited into an inmate's account unless authorized in Department Order #905, Inmate Banking/Money System.
 - 2.6.1 The Business Office/designated staff shall process the monetary instruments that meet the Department requirements and return those that do not meet Department requirements at the Department's expense.
 - 2.6.2 The Business Office shall notify the CIU of any received Internal Revenue Service (IRS) checks. The CIU may notify the IRS if deemed appropriate.
 - 2.6.3 Outgoing inmate/IRS correspondence shall contain a notation by staff on the envelope directing the correspondence to the Criminal Investigations Branch at the Service Center to which the correspondence is addressed.

- 2.7 Unauthorized property or material discovered in incoming mail shall be removed from incoming letters and held as contraband.
- 2.8 An inmate may not possess more than 40 photographs at a time; may not receive more than 40 photographs at a time within a 30 calendar day period; and may not exchange photographs previously held in the property room with photographs currently possessed by the inmate. Any incoming mail containing more than 40 photographs, and any incoming mail which, cumulative with other incoming mail within a 30 calendar day period would result in an inmate possessing more than 40 photographs at a time, will constitute contraband and the entirety of its contents will be processed in accordance with Department Order #909, Inmate Property.
- 2.9 An Inmate Property/Contraband/Disposition, Form 909-6, and Notice to Sender of Rejection of Incoming Mail/Property, Form 909-3, shall be completed and sent to the inmate. Inmates have 90 calendar days to either have item(s) destroyed or returned to the sender. The Department shall not pay for the cost of notifying the sender of the inmate's contraband arrangements or its mailing cost.
 - 2.9.1 The Department shall not be responsible for the cost of returning unauthorized property or material that includes, but is not limited to:
 - 2.9.1.1 Used or unused postage stamps
 - 2.9.1.2 Stickers, labels, address labels or decorative stamps
 - 2.9.1.3 Photos where the non-photo side can be separated (Polaroids)
 - 2.9.1.4 Photos of other inmates
 - 2.9.1.5 Unknown foreign substances and/or powders
 - 2.9.1.6 Oils, perfumes, incense or personal property items
 - 2.9.1.7 Lottery tickets or games of chance
 - 2.9.1.8 Tax forms and Publications, unless in accordance with Department Order #919, Inmate Resource Center/Library Services
 - 2.9.1.9 Battery operated greeting cards, or greeting cards larger than 8 ½" by 11"
 - 2.9.1.10 Unused Greeting cards, stationary, and/or envelopes
 - 2.9.1.11 Unused postcards
 - 2.9.1.12 Writing instruments; any type or kind
 - 2.9.1.13 Bookmarks
 - 2.9.1.14 Laminated items
 - 2.9.1.15 Inspirational cards, medals or medallions
 - 2.9.1.16 Candy, gum, or any food items
 - 2.9.1.17 Arts and crafts supplies

- 2.9.1.18 Content that depicts, encourages, or describes methods of escape and/or eluding capture – This includes materials that contain blueprints, drawings, descriptions or photos of Arizona prison facilities or private prison facilities, Public Transportation maps, road maps of Arizona or states contiguous to Arizona. (“Contiguous”, as used in this section, means states surrounding and bordering Arizona, i.e., California, Nevada, Utah, New Mexico, Colorado, and Mexico, or any portion thereof.)
 - 2.9.1.19 A printed individual item (not a supplement of an item such as a newspaper), specifically intended for the purpose of advertising or selling merchandise (catalog, circular) for any items that an inmate would not be permitted to receive.
 - 2.9.1.19.1 Catalogs for publications, compact discs (CDs), cassettes and other items inmates would be able to receive shall be processed according to the publication review requirements.
 - 2.9.1.20 Credit Reports
 - 2.9.1.21 Personal or professional/commercial photographs that feature nudity or sexually explicit acts, as detailed in the Glossary of Terms
 - 2.9.1.22 Photos of current or former Department/private prison employees and/or Department volunteers, unless they are immediate family
- 2.10 Newspaper clippings, magazine articles, cartoons or copies of material from the internet may be enclosed within personal mail; however, the content is subject to the publication review process. Internet material containing information about staff or other inmates is unauthorized if it is determined to be a threat to the safe and orderly operation of an institution and/or a threat to the safety of any other person. Inmates are not authorized to receive items from the ADCNet website.
- 2.11 Inmates may be permitted to view crime scene and/or autopsy photographs in accordance with Department Order #909, Inmate Property.
- 2.12 Incoming third class/bulk mail and publications will be delivered provided the mail/publication content meets policy guidelines and:
- 2.12.1 Is prepaid, as defined the Glossary of Terms;
 - 2.12.2 Is addressed to a specific inmate or inmates with the correct name, ADCRR number and housing location.
- 2.13 Undeliverable Standard Mail shall be returned to the Post Office, if the Post Office will accept it. If the Post Office does not accept the undeliverable mail, it shall be documented in the appropriate log and destroyed/shredded and bagged by staff and placed in a dumpster or other trash container.
- 2.14 Urgent mail, including but not limited to, overnight mail shall be delivered within one business day, unless circumstances make delivery impractical.

- 2.15 Excluding holidays and weekends, incoming mail shall not be held and shall be delivered within 24 hours, unless circumstances make delivery impractical.
- 2.16 All mail and publications with metal bindings other than staples, including paper clips, binder clips, and other metal fasteners are prohibited. An inmate who receives a metal binding piece of mail and/or publication shall be informed of its arrival and will either decide to have the publication processed as contraband or give his/her written permission to have the binding removed prior to its release to the inmate. Staff shall make note of the removal in the inmate's property file.
 - 2.16.1 Staples in all mail and publications are prohibited in the following types of housing units:
 - 2.16.1.1 Condemned Row
 - 2.16.1.2 Administrative or Disciplinary Confinement
 - 2.16.1.3 Close Custody
 - 2.16.1.4 Maximum Custody
 - 2.16.1.5 Mental Health Treatment Units
- 2.17 Calendars – Inmates shall be allowed one calendar from an approved vendor (up to 12"x12").
 - 2.17.1 Calendars with metal bindings (e.g., papers clips, binder clips and other metal fasteners, other than staples) are prohibited.

3.0 AUTHORIZATION OF COMPACT DISCS AND/OR CASSETTE TAPES

- 3.1 All CDs and/or cassettes received through the mail shall be new, in a clear or a cardboard container, in its original wrapper and packaging, shall not be a re-recording of an original, and shall be consistent with copyright laws. Authorized mail order purchases for inmate in disciplinary detention may be held until inmate is released from detention.
- 3.2 Envelopes/packages containing incoming CDs and/or cassettes shall be addressed in accordance with section 2.2.
- 3.3 Incoming CDs and/or cassettes must come directly from a Department authorized publisher, distributor, or retailer and be consistent with copyright laws. No individuals shall be authorized to send CDs and/or cassettes directly to an inmate even if they include a verifiable packing list or invoice. Secondary markets (also known as Third Party Vendors) such as Amazon.com, Amazon Marketplace, Barnes and Noble Marketplace, e-Bay, and Craig's List are not authorized retailers or distributors. These sources are offered as examples only and do not represent an exhaustive list of secondary markets.
 - 3.3.1 The Department may deem a vendor to be a Third Party Vendor at its discretion.
 - 3.3.2 Mailroom staff shall confirm the sender is not a Third Party Vendor prior to opening CDs and/or cassettes.

- 3.4 Cassette tapes and/or CDs, including music and “Books on Tape”, are subject to the publication review requirements outlined in section 7.0 and shall be included in the total possession limit amount for cassette tapes/discs as outlined in Department Order #909, Inmate Property, Attachment A.
- 3.5 Inmates may receive correspondence tapes with prior written approval of the unit Deputy Warden. Inmates shall only receive correspondence tapes from an individual on his/her approved visitation list.
 - 3.5.1 The requesting individual shall submit a written justification to the unit Deputy Warden requesting approval for correspondence tapes indicating that the inmate or visitor has a disability or literacy concern that prevents written correspondence.
 - 3.5.1.1 The inmate shall show in advance that he/she is in possession of an operational and authorized appliance with a cassette player.
 - 3.5.1.2 Correspondence tapes shall not contain sexually explicit language or any other unauthorized content that would be in violation of this Department Order.
 - 3.5.1.3 Correspondence tapes shall be screened at the complex/unit level only and shall not be forwarded to the Office of Publication Review.
- 3.6 Religious oriented tapes and/or CDs sent through the mail to a specific inmate shall be commercially recorded. Volunteers are not authorized to directly provide inmates with recorded material. All religious oriented tapes and/or CDs shall be pre-screened by the senior chaplain to ensure that they are consistent with the guidelines within this Department Order.
- 3.7 Cash on delivery (COD) orders and contract purchases such as music clubs are prohibited and shall be returned to sender. The Department shall not be responsible for the cost of returning any unauthorized material.

4.0 AUTHORIZATION OF LEGAL COMPACT DISCS AND/OR CASSETTE TAPES

- 4.1 Envelopes/packages from the inmate’s attorney of record containing legal CDs and/or cassettes shall be addressed in accordance with section 2.2.
- 4.2 CDs and/or cassettes sent in from the inmate’s attorney of record shall be considered legal materials and are to be stored in the inmate’s designated box(es) for legal materials upon receipt in accordance with Department Order #902, Inmate Legal Access to the Courts and Department Order #909, Inmate Property.
 - 4.2.1 In order to review legal CDs and/or cassettes which contain autopsy, crime scene, or sensitive victim photos, inmates shall submit an Inmate Letter to the unit Deputy Warden in accordance with Department Order #909, Inmate Property.

5.0 INTER-RELATIONAL MAIL

- 5.1 Inmates who meet the definition of immediate family, as defined in the Glossary of Terms, and those who are the verified natural or legally adopted parents of a child are authorized to have inter-relational mail, provided the communication meets the criteria set forth in this Department Order.

- 5.2 In order to have inter-relational mail privileges, the natural or adoptive parents shall:
 - 5.2.1 Provide the child's birth certificate, and
 - 5.2.2 The relationship can be readily verified by staff, i.e., it is clear in the pre-sentence report or file.
- 5.3 Inter-relational communication shall not contain communications with or on behalf of any other inmates that do not have inter-relational mail approval.
- 5.4 Only letters, homemade greeting cards or greeting cards purchased through the inmate store are authorized for inter-relational mail. The transfer of funds and/or any other item is prohibited.
- 5.5 The sending unit/complex shall verify the inmate's relationship and stamp the outgoing letter as "verified." Letters that have not been verified and approved shall be returned to the inmate sender.
- 5.6 All inter-relational mail privileges shall be pre-approved by both the requesting and receiving Warden or Deputy Warden. Approvals and denials are at the discretion of the Warden or Deputy Warden and may be revoked when it is in the best interest of institutional security.
- 5.7 The inmate shall pay postage. Health and Welfare Indigent inmates may be provided postage as outlined in section 1.0.
- 5.8 Inmates who wish to send mail to an incarcerated immediate family member shall submit the request to their assigned Correctional Officer III who shall verify the relationship.
- 5.9 The assigned Correctional Officer III or designated staff at the requesting institution shall:
 - 5.9.1 Complete a Request to Communicate with an Incarcerated Family Member, Form 915-3, as outlined in Department Order #915, Inmate Phone Calls.
 - 5.9.2 Verify that an immediate family relationship exists between the inmates.
 - 5.9.3 Forward the application to the Warden or Deputy Warden for approval/disapproval.
 - 5.9.4 Forward copies of the approved applications to the respective mail/property rooms at the requesting and receiving institution.
 - 5.9.5 Advise inmate of disapproved applications, and note all approvals and denials on ACIS.

6.0 OUTGOING MAIL

- 6.1 All outgoing inmate mail shall include on the envelope the inmate's complete first and last name (the name under which he is incarcerated), ADCRR number, and full return address, including the name of the complex, unit and bed location. (A.R.S. §31-235)
 - 6.1.1 Institution mailroom staff shall return mail lacking this information to the sending inmate, if known, for a correction.

- 6.1.2 If the inmate sender is not known, the correspondence shall be opened to make a reasonable attempt to determine the identity of the inmate sender. If the identity cannot be determined, the mail shall be held in an "Unprocessed Letter" repository for 90 calendar days, pending claim. If no claim is made, the mail shall be processed as unclaimed property. (A.R.S. § 12-940)
 - 6.1.3 Inmates shall seal outgoing mail and place it in locked mailboxes located throughout the institution or in other areas designated by the Warden or Deputy Warden. Mail shall be collected at approximately the same time each workday, except on weekends and holidays, and shall be delivered to the mailroom for processing.
 - 6.1.4 Inmates shall not use the complex or unit address to fraudulently identify themselves as employees, agents, or representatives of the Department, complex, unit, or private prison facility.
- 6.2 Unsealed outgoing mail, for the below listed recipients, shall be brought to the mailroom for inspection and processing. Mailroom staff shall inspect the unsealed envelope for contraband, but shall not read the content of the enclosed correspondence.
- 6.2.1 The inmate's attorney, a judge, or court.
 - 6.2.2 Publisher or editor of a newspaper, news magazine or periodical of general distribution, national or international news service or to the station manager of any radio or television stations.
 - 6.2.3 The Director, Deputy Director, Chief of Staff, or Assistant Directors of the Department.
 - 6.2.4 Elected or appointed public officials.
- 6.3 Staff shall read up to 10% of outgoing mail. Mail may be returned to the inmate, retained by the institution, or removed from the mailing (the balance of which shall be mailed) when the contents or communications:
- 6.3.1 Pose a direct and immediate threat to the security, safety or order of the institution.
 - 6.3.2 May substantially hinder efforts to treat or rehabilitate the inmate.
- 6.4 Staff shall not stamp or mark the contents of outgoing read mail, rather, the envelope or box shall be stamped or marked as having been inspected and resealed prior to mailing.
- 6.5 Outgoing inmate mail is subject to being opened and read by staff when there is a reasonable belief that the inmate is using the mail to further a crime or circumvent Department regulations or written instructions. Such mail may include, but is not limited to:
- 6.5.1 Depiction or the encouragement of activities that may lead to the use of physical violence.
 - 6.5.2 Information that involves escape plans and/or activities that violate Department or institution regulations or written instructions.

- 6.5.3 Threatens the intended recipient.
- 6.5.4 Promotes, aids or abets criminal activity or violation of departmental rules, including but not limited to, rioting, extortion, escape, illegal drug use, conveyance of contraband, solicitation of funds, violence towards others, and promotes or encourages STG.
- 6.5.5 Mail written in code or provides instruction on code use.
- 6.6 Outgoing mail that is deemed to be detrimental to the security or safe operation of the institution or that may impede the protection of the public or facilitate criminal activity shall be referred to the CIU for further action.
- 6.7 The CIU shall:
 - 6.7.1 Retain the redacted portion of any outgoing mail during any investigation, and then return it to the sender.
 - 6.7.2 Stamp the un-redacted portion of any redacted mail to indicate that portions of the mail were redacted, and mail it to the recipient unless doing so would interfere with an ongoing investigation.
 - 6.7.3 The Department may redact the item or determine not to mail the item.
- 6.8 Mail outlined in 6.7.2 of this section shall be sent within 72 hours; unless it is determined that such mail is not to be sent. If the mail is not to be sent, the inmate shall be notified of such within 72 hours, unless doing so interferes with an ongoing investigation.
- 6.9 Excluding holidays and weekends, outgoing mail shall not be held and shall be delivered to the Post Office within 24 hours unless circumstances make delivery impractical.

7.0 PUBLICATIONS

- 7.1 Personal letters are not subject to publication review.
- 7.2 All publications are subject to screening and review and shall meet standards and guidelines as detailed in this Department Order.
- 7.3 The envelope/container shall have the inmate's complete first and last name under which he/she is incarcerated unless legally changed, the correct ADCRR number, institution and unit, and the appropriate Post Office Box.
- 7.4 Publications shall come directly from a Department authorized publisher, distributor, retailer, or approved non-profit/community organization and be consistent with copyright laws.
 - 7.4.1 Department authorized publishers may directly sell or donate their new or used publications to individual inmates provided the content of the publications meets standards and guidelines outlined in this Department Order. Used publications must be in good condition, free of highlighting, underlining, notes, or other marks.

- 7.4.2 Department authorized distributors and/or retailers may sell or donate new publications to individual inmates provided the content of the publications meets standards and guidelines outlined in this Department Order. Secondary markets (also known as Third Party Vendors) such as Amazon.com, Amazon Marketplace, Barnes and Noble Marketplace, e-Bay, and Craig’s List are not authorized retailers or distributors. These sources are offered as examples only and do not represent an exhaustive list of secondary markets. The Department may deem a vendor to be a Third Party at its discretion.
- 7.4.3 Non-profits/community organizations may request approval to send in new or used publications to individual inmates by contacting the Director’s Office via mail or email.
- 7.4.3.1 The Director or designee shall review the request and approve or deny it. For those that are approved, the request will be sent to Prison Operations who shall maintain a master list of all approved non-profits/community organizations.
- 7.4.3.1.1 A copy of the master list shall be provided to all complex mail and property rooms.
- 7.4.3.2 Once approved, Prison Operations shall ensure a copy of this Department Order is provided to the non-profit/community organization. At such time, the non-profit/community organization will be authorized to send reading material to individual inmates. Reading material shall not contain unauthorized content as outlined in section 8.0 and is subject to review as outlined in section 9.0.
- 7.4.3.2.1 Approved non-profit organizations may send a maximum of three publications to each inmate every six months (up to six per calendar year).
- 7.4.3.2.2 An invoice must accompany the books.
- 7.4.3.2.3 The Department shall not be responsible for shipping costs.
- 7.4.3.2.4 Reading material, to include coloring books, received also accounts for the total number of allowable books as outlined in Department Order 909# Inmate Property, Attachment A.
- 7.4.4 All other individuals and/or entities may not sell or donate publications to individual inmates, but may donate new or used publications to a Department facility generally provided the content of the publications meets standards and guidelines as outlined in this Department Order. Used publications must also be in good condition, free of highlighting, underlining, notes, or other marks.
- 7.4.4.1 Mailroom staff shall verify that an incoming publication is from a Department authorized publisher, distributor, retailer, or approved non-profit/community organization and not from a Third Party Vendor prior to opening the publication.

- 7.5 Non-English publications may be delayed due to necessary translation. If translators for a specific language are not available, the Department may reject a non-English language publication.
- 7.6 Incoming publications shall be pre-paid. Cash on Delivery (COD) orders and contract purchases such as music or book clubs are prohibited and will be returned to the sender at the inmate's expense. Donated publications not coming in from a recognized publisher, distributor, retailer, or approved non-profit/community organization shall be processed as contraband or donated to an inmate library provided they meet Departmental policy requirements and publication review as set forth in this Department Order.
- 7.7 Publications shall be forwarded for a 90-day period if the inmate is in custody at a Department or private prison facility, provided there is no state or other governing rules/regulations preventing the forwarding of the publication.
 - 7.7.1 The inmate shall be responsible for the change of address notifications.
 - 7.7.2 At the end of the 90-day period, the publications shall be subject to contraband policies and procedures and will no longer be forwarded.
- 7.8 Inmates are responsible for staying within publication possession limit requirements as outlined in Department Order #909, Inmate Property, Attachment A and may be subject to disciplinary action for exceeding publication/property limits. Items over the established limit shall be considered contraband.
- 7.9 Authorization to withdraw funds from an inmate's account for the purchase of a publication does not constitute approval of the publication.
- 7.10 All publications, including those that are part of a title or series, are reviewed on an individualized basis. Rejection of several issues of any one publication is not sufficient reason to reject a subscription to a publication in its entirety, unless the publication regularly includes sexually explicit material or other unauthorized material as defined in the Glossary of Terms as part or all of its content.
- 7.11 Unless there is a legitimate correctional concern relating to security, safety, criminal activity or a threat to the orderly operation of the institution, the contents of incoming publications or publications under review shall not be revealed to any non-Publications Review Staff. Only those staff approved to participate in publication review and who have received publication review training shall be involved in processing, reading, and reviewing publications.
- 7.12 No publication shall be excluded solely on the basis of its appeal to a particular ethnic, racial or religious/faith group.
- 7.13 The Office of Publication Review, at the direction of the General Counsel or designee, may cease removing or redacting unauthorized content when the practice places an unreasonable burden on resources due to the volume of incoming mail, publications, the required redaction or removal of unauthorized content, and the dissemination thereof in redacted form. Only the Office of Publication Review, may remove or redact content of any publication that may be in violation of section 8.0 to make the publication acceptable only upon an inmate or publisher appeal as defined within this policy.

- 7.13.1 Complex mail and property staff may remove stapled or perforated items including, but not limited to, items that may be in violation of this Department Order provided that no damage is done to the publication in the removal process.
- 7.14 Previous decisions to exclude publications, may be requested for reconsideration within 90 days of this policy revision’s effective date, or every two years.
- 7.15 Publications delivered to an inmate in error at any complex/unit prior to or contrary to an initial review or an appeal may be considered contraband upon official notice from the Office of Publication Review that the publication has been excluded. Inmates will be provided the options of mailing the publication out at the Departments expense, arranging for an approved visitor to pick up the publication, or having it destroyed.
- 7.16 Approved incoming publications for inmates in disciplinary detention may be held until the inmate is released from detention.
- 7.17 The Department will provide notice to publishers via email of the decision to exclude a publication or part of a publication within 14 calendar days following the decision to exclude. If no email address is available, the notice will be sent to the publisher’s mailing address as specified within the publication. Publishers will have the same opportunity to seek an appeal as an inmate under Department Order #914. The notice to the publisher shall include sufficient information to identify the specific publication and the reason(s) for the exclusion.
- 7.18 A legal publication that contains unauthorized content that is either (a) directly quoted from a trial or appellate court’s decision, opinion, or order, or (b) otherwise taken from a court case, government publication, or news wire service (such as the Associated Press), shall not be withheld if the unauthorized content is reasonably necessary to understand the fundamental legal issue or legal principle of the legal publication.
- 7.19 Publications that contain nudity and/or descriptions of sexual behaviors/acts, or violent acts, shall not be withheld if such unauthorized content is within a publication commonly considered to constitute a well-known and widely recognized religious/faith work (such as the Bible, the Koran, the Book of Mormon) or literary work (such as Shakespeare).

8.0 UNAUTHORIZED CONTENT

- 8.1 In order to assist with rehabilitation and treatment objectives, reduce sexual harassment and prevent a hostile environment for inmates, staff and volunteers, inmates are not permitted to send, receive or possess material that is detrimental to the safe, secure, and orderly operation of the facility as set forth in this Department Order. In addition, in order to assist with rehabilitation and treatment objectives, and promote the safe, secure, and orderly operation of the facility, inmates are not permitted to send, receive or possess unauthorized content that is detrimental to these objectives and to operational considerations as set forth in this Department Order.
- 8.2 Prohibited publications include, but are not limited to:
- 8.2.1 Publications that depict nudity of either gender. (For nudity see the Glossary of Terms.)

- 8.2.1.1 Classic art, paintings, and photos of statues which depict nudity, alone, are not sufficient to exclude the publication.
- 8.2.2 Publications that depict any sexually explicit material (writing, images, or text) of any kind in audio or written form, including portrayals of certain actual or simulated sexual acts. (For sexually explicit material see the Glossary of Terms.)
- 8.2.3 Depictions or descriptions that incite, aid, or abet riots, work stoppages, means of resistance, or any other behaviors that may be detrimental to the safe, secure, and orderly operation of the institution. Historical books that include descriptions of past world events may be allowed.
- 8.2.4 Depictions or descriptions of street gangs and/or Security Threat Groups (STG), and related gang/STG paraphernalia, including, but not limited to, codes, signs, symbols, photographs, drawings, training material, and catalogs.
 - 8.2.4.1 Obscene hand gestures alone are not sufficient to exclude the publication.
- 8.2.5 Depictions, descriptions and instructions regarding the function of locks and/or security devices (e.g., cameras, alarms) or how to bypass or defeat the security functions of these devices.
- 8.2.6 Depictions, descriptions or instructions on the use of hands, feet, or head as weapons, fighting weapons and techniques, self-defense and martial arts.
- 8.2.7 Depictions, descriptions or promotion of drugs, drug paraphernalia or instructions for the brewing of alcoholic beverages or the manufacture or cultivation of drugs, narcotics or poisons.
 - 8.2.7.1 An ad for the sale of a book or magazine which relates to drug paraphernalia, drugs, or narcotics, alone, is not sufficient to exclude the publication.
- 8.2.8 Content that is oriented toward and/or promotes racism and/or religious oppression and the superiority of one race/religion/political group over another, and/or the degradation of one race/religion/political group by another. Historical books that include reference to past activity may be allowed.
- 8.2.9 Depictions, descriptions or instructions regarding the construction, manufacture, or use of weapons, ammunition, bombs, or incendiary devices.
 - 8.2.9.1 The photograph of a gun or knife in a recognized magazine or publication (e.g., Field and Stream), alone, is not sufficient to exclude the publication.
- 8.2.10 Detailed illustrations, explanations, and/or descriptions of computers, communications systems or electronics.
 - 8.2.10.1 Education technology materials may be approved in accordance with Department Order #910, Inmate Education.

- 8.2.11 Depictions, descriptions or content that promotes or instructs on identity theft.
 - 8.2.12 Content that depicts, encourages, or describes methods of escape and/or eluding capture. This includes materials that contain blueprints, drawings, descriptions or photos of Arizona prison facilities or private prison facilities, Public Transportation maps, road maps of Arizona or states contiguous to Arizona. ("Contiguous", as used in this section, means states surrounding and bordering Arizona, i.e., California, Nevada, Utah, New Mexico, Colorado, and Mexico, or any portion thereof.)
 - 8.2.13 Content that contains survival skills that could be used as an aid in eluding capture following an escape.
 - 8.2.14 Pictures, depictions, illustrations, explanations, instructions, and/or patterns for tattoos and/or skin modification equipment which would provide, at minimum, visual aids for inmates wishing to reproduce this type of body ornamentation and/or equipment. Tattoo coloring books are prohibited.
 - 8.2.15 Cipher or code or instruction on the usage of code.
 - 8.2.16 Pictures, depictions or illustrations that promote acts of criminal violence.
 - 8.2.17 Sexually explicit content in publications, photographs, drawings, or in any type of image or text, that depicts sexual poses or attire or sexual representations of inmates, correctional personnel, law enforcement, military, medical/mental health staff, programming staff, teachers or clergy.
 - 8.2.18 Medical publications that may contain diagrams of the human anatomy and or instructions on harming oneself or others.
 - 8.2.19 Canine search procedures, techniques and scent discrimination.
 - 8.2.20 Any publication or part of a publication that, although not specifically set forth herein, may otherwise be detrimental to the safe, secure, and orderly operation of the institution.
 - 8.2.20.1 Any exclusion on this basis alone will be approved by the Director or designee.
- 8.3 A publication will not be rejected based solely upon inclusion of an advertisement promoting the following:
- 8.3.1 Three-way calling services;
 - 8.3.2 Pen pal services;
 - 8.3.3 The purchase of products and services with postage stamps;
 - 8.3.4 The purchase of products and services that violate Departmental policy;
 - 8.3.5 Conducting a business while incarcerated.

9.0 PUBLICATION REVIEW PROCESS

- 9.1 Publication review training shall be provided by the Office of Publication Review Administrator, under the guidance of the General Counsel, on an annual basis or as needed to policy updates and/or staff changes.
- 9.2 The publication review process shall include two levels of review. The initial review occurs at the complex, directed by the complex mailroom supervisors. The second level of review is an appeal to the Director or designee, processed by the Office of Publication Review.
- 9.3 Initial Review: Complex Level - Complex mailroom supervisors shall conduct the first level of review on all incoming publications and shall determine whether a publication is allowed or excluded from the complex.
 - 9.3.1 Upon a decision to exclude a publication, complex mailroom staff shall promptly provide the inmate with the Notice of Result, Form 914-6, informing the inmate of the decision and the opportunity to appeal the decision within 30 calendar days of the inmate's actual receipt of the notice of exclusion.
 - 9.3.2 Complex mailroom supervisors may consult with other complex mailroom supervisors or with the Office of Publication Review prior to making a decision.
 - 9.3.3 Complex mailroom staff will simultaneously inform the Office of Publication Review of the decision to exclude a publication.
 - 9.3.3.1 Upon notification from complex mailroom staff of the exclusion of a publication, the Office of Publication Review shall promptly notify the affected publisher of the exclusion and the appeal process.
 - 9.3.4 Complex mailroom staff shall update the Publication Review Database with the appropriate review decisions.
 - 9.3.5 A decision to allow or exclude a publication by one complex shall be binding on all other complexes.
 - 9.3.6 Complex mailroom staff shall respond to inmate letters, questions or concerns related to the complex publication review process.
- 9.4 Second Review: Appeals to the Director or Designee - The Office of Publication Review shall receive and process all inmate and publisher appeals submitted to the Director or designee. An appeal to the Director or designee is the final level of publication review and the decision of the Director or designee is not subject to appeal or further administrative review.
 - 9.4.1 An inmate may appeal a decision to exclude a publication by submitting an Inmate Letter, Form 916-1, or tablet communication to complex mailroom staff within 30 calendars days of the inmate's actual receipt of the Notice of Result.
 - 9.4.1.1 Complex mailroom staff shall promptly transmit the inmate appeal and the associated publication to the Office of Publication Review.

- 9.4.1.2 When an inmate submits an appeal, complex mailroom staff shall notify the inmate that the appeal may result in exclusion of the entire publication or redaction of parts thereof.
- 9.4.2 Publishers may request an appeal by notifying the Office of Publication Review within 30 calendar days of the publisher’s receipt of the exclusion.
- 9.4.3 The Office of Publication Review shall consult with any division who may have information or insight to assist in making the correct appeal decision. Ultimately, the Office of Publication Review will review all inmate and publisher appeals and prepare a response for the approval of the Director or designee. The appeal decision shall be returned to the complex or publisher within 60 calendar days of the date the appeal was received.
 - 9.4.3.1 Any exclusion based solely on section 8.2.20 will be reviewed and approved by the Director or designee.
- 9.4.4 In preparing a response for the Director or designee, the Office of Publication Review may recommend the following actions:
 - 9.4.4.1 Uphold the complex decision to exclude the publication in its entirety;
 - 9.4.4.2 Overturn the complex decision to exclude the publication, and allow the publication in its entirety;
 - 9.4.4.3 Modify the complex decision to exclude the publication, and allow the publication after the redaction of unauthorized material, subject to the provisions of section 7.0 and 7.13.
- 9.4.5 In preparing a response for the Director or designee, the Office of Publication Review shall log the page, paragraph and unauthorized content that is redacted and/or excluded in the Publication Review Database. An un-redacted version of the redacted portions of the publication with the unauthorized content identified shall also be maintained by the Office of Publication Review. Detailed comments indicating the basis for overturning the complex exclusion of unauthorized content and reference to staff contributing to the decision, shall be logged in the Publication Review Database.
- 9.4.6 Upon receipt of the appeal decision from the Office of Publication Review, complex mailroom staff shall promptly notify the affected inmate of the decision and place a copy of the decision in the inmate property file.
- 9.5 Disposition of Excluded Publications - All excluded publications shall be held for a minimum of 60 calendar days to allow for timely appeals to be received and processed by the Office of Publication Review.
 - 9.5.1 Publications under appeal will not be scheduled for disposition until the Director or designee issues, and the inmate or publisher receives, the publication review decision.
 - 9.5.2 If no appeal is submitted to the Director or designee, the inmate shall be provided three options for disposition of the publication, after the 60-day retention period has concluded or the appeal has been decided:

- 9.5.2.1 Mail the publication out of the complex at the inmate's expense;
 - 9.5.2.2 Arrange for an approved visitor to pick up the publication; or,
 - 9.5.2.3 Destruction of the publication.
- 9.5.3 An inmate may opt out of the retention period provided in this section through an Inmate Letter, Form 916-1, to complex publication review staff.
- 9.6 Inmates may file grievances on publication review procedures. Grievances shall be processed in accordance with Department Order #802, Inmate Grievance Procedure. The grievance responses shall only address the procedural issues but may flag concerns regarding decisions to exclude publications and notify the Director or designee.

DEFINITIONS/GLOSSARY

Refer to the Glossary of Terms for the following:

- Altering
- Audio Book
- Coloring Book
- Contraband
- Correspondence Tapes
- Criminal Activity
- Cunnilingus
- Excretory Functions
- Fellatio
- First Class Mail
- Genitalia
- Illegal Contraband
- Immediate Family (Inmate)
- Inflammatory
- Intercourse
- Inter-Relational Mail
- Legislative Correspondence
- Masturbation
- Nudity
- Penological
- Periodical Class Mail
- Prepaid Publications
- Publication
- Redact
- Sadomasochistic Abuse
- Security Threat Group (STG)
- Sexually Explicit Material
- Standard Mail
- Unauthorized Material
- Violence

ATTACHMENT

Attachment A - Incoming and Outgoing Packages Tracking Format

FORMS LIST

914-1, Legal Mail Log

914-2, Registered, Insured and Certified Mail Log

914-6, Notice of Result

AUTHORITY

A.R.S. §12-940 et seq, Unclaimed Property in Hands of Public Agency

A.R.S. §13-2501, Definitions

A.R.S. §13-2505, Promoting Prison Contraband; Exceptions; X-Radiation; Body Scans; Classification

A.R.S. §13-3309, Seizure; Exception; Definition

A.R.S. §13-3501, Definitions

A.R.S. §13-3503, Seizure of Obscene Things; Disposition

A.R.S. §13-4301 et seq, Forfeiture

A.R.S. §13-4411.01, Notice of Right to Request Not to Receive Inmate Mail

A.R.S. §13-4429, Return of Victim's Property; Release of Evidence

A.R.S. §31-231, Unauthorized Communication With Prisoner; Classification; Definition

A.R.S. §31-235, Prisoner Correspondence; Definitions

